

## **REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, JANUARY 23, 2007 AT 7:00 P.M.**

The City Council of the City of Leon Valley, Texas, met for a Regular City Council Meeting on the 23<sup>rd</sup> day of January 2007 at 7:00 p.m., at the Leon Valley City Council Chambers, for the purpose of the following business, to-wit:

### **Call to order and Pledge of Allegiance.**

Mayor Riley called the meeting to order and asked that the minutes reflect that the following members of Council were present: Maloy, Reyna, Semmelmann, Dean and Rangel.

City Manager Lambert, City Secretary Feutz, City Accountant Wallace, Fire Chief Irwin, Police Chief Wallace, Public Works Director Vick, Assistant Public Works Director Stolz, Library Director Trent, Economic Development Director Caldera, Human Resources Officer/ ACS Schendel, and City Attorney Jacobson were also present.

Mayor Riley welcomed members of the 2007 Community Leadership Program to the meeting and complimented them on their participation in the program and attendance at the meeting.

Mayor Riley asked Resident Abraham Diaz to lead the Pledge of Allegiance.

### **Consider approval of minutes of the City Council Workshop and the Regular City Council Meeting both of December 19, 2006.**

A motion was made by Councilmember Rangel, seconded by Councilman Semmelmann, to approve the minutes from both the City Council Workshop and Regular City Council Meeting of December 19, 2006. Following discussion and upon a unanimous vote, the motion carried.

### **Citizens to be heard and time for objections to the Consent Agenda.**

Mayor Riley asked Council if they wished for any Consent Agenda item to be removed for further discussion. Hearing no requests, Mayor Riley asked if anyone in the audience wished to address the Council.

Resident Al Uvietta addressed Council thanking them and the staff for the making the Community Leadership Program available.

Mayor Riley asked if anyone else wished to address Council; seeing no one, she asked for a motion on Consent Agenda items.

### **Consent Agenda**

#### **Consider Quarterly Investment Report (V.Wallace).**

**Consider M&C # 1-01-07 with attached ordinance adjusting the FY 2007 Budget - General Fund to allow for the purchase of an ADA-approved door upgrade for the City's Library from grant funds at a cost of \$4,716 (Trent).**

**Consider M&C # 01-02-07 - Authorization to execute the interlocal agreement with Bexar County for the FY 2006 Community Development Block Grant Program for ADA playground improvements (Stolz/Vick).**

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,  
TEXAS, JANUARY 23, 2007 AT 7:00 P.M.**

**Consider M&C # 01-03-07 - Approval of bank signature cards and amending  
resolution of authorized representatives for Texpool (V.Wallace).**

A motion was made by Councilmember Semmelmann, seconded by Councilmember Dean, to approve the Consent Agenda items. Upon unanimous vote, the motion carried.

**Presentation of the FY 2006 Audit by City Auditor Gordon Armstrong.**

City Auditor Gordon Armstrong addressed Council presenting the FY 2006 Audit findings and informing them that the City was in a good financial position. He reviewed the accruals of assets and liabilities and answered general questions from Council. He recommended that the City use an independent source for reporting any fraud, waste and abuse. He complimented the City and its staff for sound financial records and practices.

**Consider M&C # 01-04-07 - Approval of Comprehensive Annual Financial Report for  
Fiscal Year 2006 (V. Wallace).**

A motion was made by Councilman Reyna, seconded by Councilmember Semmelmann to approve the Comprehensive Annual Financial Report for Fiscal Year 2006. Upon unanimous vote, the motion carried.

**Consider M&C # 01-05-07 - Approval of FY 2007 Sanitary Sewer Rehabilitation Project to  
lowest bidder - San Antonio Constructor's Ltd. In the amount of \$247,595 (Vick).**

City Engineer Patrick Wright addressed Council explaining that of seven bids received, San Antonio Constructor's Ltd. submitted the low bid of \$247,595.70 for the FY 2007 Sanitary Sewer Rehabilitation Project. Mr. Wright explained that the project would replace approximately 1700 feet of 8" concrete sewer main in the alleys of Canterfield Subdivision with 8" SDR 26 PVC pipe; construct 29 point repairs in sewer mains to reduce infiltration and blockage of mains; and install 34 two-way service lateral cleanouts which will allow for video inspection of service laterals.

City Manager Lambert noted that the budget included \$500,000 for the sewer rehabilitation project and he asked for clarification of future contract amendments under the law. City Engineer Wright confirmed that, under the law, contract change orders and improvements in the project could be made as long as they did not increase the approved contract price by more than 25%. He also recommended that if Council approved the bid for the project that they also authorize the City Manager to execute the contract documents and change orders as needed to complete the work. Mr. Wright stated that if project costs increased with changes in the project by the full 25%, the project cost would still be below the budgeted amount for this project. Mr. Wright stated that through the M&C, if approved by Council, authorization will be included for change orders and improvements for up to 25% of the project cost.

Following discussion, a motion was made by Councilmember Maloy, seconded by Councilmember Rangel, to approve the M&C as presented for the FY 2007 Sanitary Sewer Rehabilitation Project and approved the award of the bid to the San Antonio Constructor's Ltd. Upon vote, the motion carried.

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,  
TEXAS, JANUARY 23, 2007 AT 7:00 P.M.**

**Consider M&C # 01-06-07 - Authorization to submit an application to the Bexar County Community Development Block Grant Program for handicapped ramp improvements in the Linkwood Subdivision (Stolz).**

Assistant Public Works Director Fred Stolz addressed Council presenting the request to submit an application to the Bexar County Community Development Block Grant (CDBG) Program for handicapped ramp improvements in the Linkwood Subdivision. Mr. Stolz provided a brief overview of criteria which allows a project to qualify for funding under the CDBG Program. He stated that \$58,956 was the estimated cost for the project with the City funding \$5,842 of the project and the balance coming from the CDBG Program. He stated that if the City's project is selected for CDBG Program funding, the City's share will be requested in the FY 2008 Budget.

Councilmember Maloy asked that the budget be reviewed so that ADA accessible aprons be added to alleys to improve accessibility for individuals with disabilities who use wheelchairs. Mr. Stolz indicated that if authorization is approved for submittal of the application, and if the grant is awarded to the City, then he estimated that construction would not begin before January 2008. Mayor Riley thanked Mr. Stolz for his grant-writing efforts.

Following discussion, a motion was made by Councilmember Semmelmann, seconded by Councilmember Maloy, to approve the M&C as presented thus approving authorization to submit an application to the Bexar County Community Block Grant Program for handicapped ramp improvements in the Linkwood Subdivision. Upon vote, the motion carried.

**Consider M&C # 01-07-07 with attached ordinance adjusting the FY 2007 Budget - Police Forfeiture Fund to allow for the purchase a traffic radar trailer at a cost of \$7,970 (R.Wallace).**

Chief Randal Wallace addressed Council presenting information on the request for a budget adjustment to allow for the purchase of a Traffic Radar Trailer utilizing funds in the Police Forfeiture Account. Chief Wallace explained that the proposed trailer, with the built-in radar, was primarily to educate motorists of their speed to encourage voluntary reduction in speeds. He stated that law enforcement would be used to provide additional motivation for speed reduction by motorists.

Following discussion, a motion was made by Councilmember Dean, seconded by Councilman Reyna, to approve the request as presented for the budget adjustment to allow the purchase of a traffic radar trailer. Upon vote, the motion carried.

**Discussion and consider M&C # 01-08-07 with attached ordinance amending the Waste Management Contract to increase recycling program (Lambert).**

City Manager Lanny S. Lambert apologized to Council for the late introduction of information on this agenda item and explained that the information was just received that afternoon from Waste Management, Inc. Mr. Lambert presented information to Council that had been forwarded from Waste Management, Inc. which would increase the kinds of refuse that would be accepted under the City's recycling program, but that would not increase the cost of the program.

Mayor Riley stated that at the 2006 Earthwise Living Day, someone had informed her that additional items were allowed in the recycling program in the City of San Antonio. Mayor Riley

## **REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, JANUARY 23, 2007 AT 7:00 P.M.**

stated that Waste Management was going to join in "jump starting" the recycling program again in Leon Valley and she explained the "Recycling Bin - Instant Win" program as one measure added to the City's recycling program as an effort to increase recycling participation in Leon Valley. She also stated that cell phone recycling and a program to recycle "sharps" was also being added to the residential recycling program.

City Manager Lambert explained that no ordinance was necessary as there would be no increased costs to the City which would require a contract adjustment; therefore, he recommended that a motion and vote would suffice in accepting the proposed additions to the City's recycling program.

A motion was made by Councilman Reyna, seconded by Councilmember Dean, to approve the expansion of Waste Management's recycling program in Leon Valley as presented. Upon vote, the motion carried.

### **Discuss appointment of members to the Economic Development/Street Maintenance Sales Tax Study Committee (Mayor Riley).**

Mayor Riley explained that a committee would be appointed to begin the study of a proposal for a Street Maintenance Sales Tax and Economic Development Sales Tax. She stated that she was gathering names recommended by members of Council and she stated that Councilman Reyna had volunteered to serve as the Council liaison for this new committee. Mayor Riley stated that at the next Council meeting, the Council will formally consider the appointments of the committee members.

Council presented their ideas and concerns about the job before the committee.

### **Consider ordinance to appoint Mayor Pro Tem. (City Attorney).**

Mayor Riley explained that the City wished to have their Mayor Pro Tem appointments back on a proper cycle. City Attorney Jacobson explained that the Local Government Code states that at the beginning of each new governing body's first meeting, the governing body shall elect one member of Council to serve as the Mayor Pro Tem for a term of one year. Mr. Jacobson explained that there are differing, but valid, interpretations of what "at each new governing body's first meeting" means.

Councilman Reyna nominated Councilmember Dean to serve as Mayor Pro Tem until the end of May 2007 and then a new Mayor Pro Tem would be elected for a one-year term. The nomination did not receive a second.

Following discussion between the City Attorney and members of Council, a motion was made by Councilmember Dean, seconded by Councilmember Rangel, to extend Mayor Pro Tem Maloy's term until the end of May 2007. Upon vote, the motion carried.

### **City Manager's report (Lambert).**

Mayor Riley introduced Mr. Lambert to the audience and welcomed him to the Council and asked for his first City Manager's report. Mr. Lambert thanked the Mayor and introduced the City Accountant to present the financial report.

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,  
TEXAS, JANUARY 23, 2007 AT 7:00 P.M.**

**Monthly Financial Report - December 2006 (V. Wallace)**

City Accountant Vickie Wallace presented an overview of the City's expenditures and revenues for the month of December 2006 with comparisons to the previous year's figures.

**Economic Development Briefing (Caldera)**

Economic Development Director Crystal Caldera presented a quarterly report on economic development initiatives being pursued. She presented information on three specific sites in the City and the types of businesses that statistics indicate could be successful in the locations and types of businesses being recruited for relocation to those vacant sites. Ms. Caldera indicated that business sites were experiencing a 14% - 17% vacancy rate and that sales tax-generating businesses were being replaced by service-oriented businesses at some sites.

**Citizens to be heard.**

Resident Tony Westrich addressed Council thanking them and the staff for the 2007 Community Leadership Program.

Resident Anita Eggert addressed Council announcing the Historical Society of Leon Valley's Stagecoach Breakfast fundraiser to be held on Saturday, January 27, 2007. Ms. Eggert also announced information on the Earthwise Living Day scheduled for February 24, 2007 with water being the theme for this year's event. She asked if the City had any building codes for water cisterns and asked the City to consider codes that will address water cistern and other water collection system construction guidelines.

Resident Ken Hillje addressed Council thanking them for addressing the need for the ADA accessible ramps on sidewalks in the Linkcrest Subdivision.

**Announcements.**

Councilmember Maloy thanked the Community Leadership Program participants for their participation and expressed her hope that the program would continue as a yearly event.

Councilman Reyna informed Council that he had attended a Trade & Market Days Committee meeting and he reported that they were working hard to meet Council's requests and thanked them for their work. He expressed his concerns about the Alamo RMA's work and recent news of the Metropolitan Planning Organization's votes to continue with toll road options. Councilman Reyna asked that a non-binding referendum be called for the May 2007 election at the next Council meeting.

Councilmember Semmelmann announced that the Stormwater Committee meeting would be held on February 5, 2007. He thanked the Park Commission for their work on grants and for park improvements.

Councilmember Dean recommended that the City talk with State Legislature representatives to get their support against an elevated toll road in Leon Valley. He announced that the Business

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,  
TEXAS, JANUARY 23, 2007 AT 7:00 P.M.**

Alliance Committee would meet on January 24, 2007. He also expressed his concerns about having anonymous complaints reported to fraud, waste and abuse hotlines.

Councilmember Rangel thanked the Leadership Program participants for their participation. He also thanked the Police Chief and his staff for working on Canterfield subdivision area issues. Councilmember Rangel requested that quarterly reports from the Historical Society be given to Council on the leased natural area.

Mayor Riley also thanked all the Community Leadership Program participants and staff and commended the shortened program format. Mayor Riley invited everyone to attend the Rabies Clinic on Saturday, January 27<sup>th</sup> at the Community Center. She reported on an MPO meeting she had attended the previous day and she reported on changes TXDOT has made to their Bandera/Loop 410 construction timelines.

**Convene into Executive Session in accordance with the Texas Government Code, Section 551.072 "Deliberations about Real Property" to discuss land acquisition options.**

Mayor Riley announced that Council would convene into Executive Session in accordance with the Texas Government Code, Section 551.072 "Deliberations about Real Property" to discuss land acquisition options at 9:18 p.m.

**Reconvene into open session.**

Mayor Riley convened Council into open session at 10:08 p.m.

**Discuss and consider any actions as appropriate in regards to land acquisition as discussed in Executive Session.**

None.

**Adjourn.**

A motion was made by Councilmember Semmelmann, seconded by Councilmember Dean, to adjourn. Mayor Riley announced the meeting adjourned at 10:09 p.m.

Chris Riley

\_\_\_\_\_  
Mayor

ATTEST:

Marie Feutz

\_\_\_\_\_  
City Secretary

*Approved by vote of City Council at the Regular City Council Meeting of February 6, 2007.*